

REMARKS

Claims 2, 6, 8, 13, 17 and 18 are cancelled by this amendment and claims 1, 3-5, 9 and 10 amended by this amendment.

The Rejections

35USC 102(b): Claims 1-4, 6-8, 11, 13-15, 17-18

The examiner rejected claims 1-4, 6-8, 11, 13-15, 17-18 under 35 USC 102(b) as being anticipated by US 5,271,707 (Derksen et al).

Claim 1 has been amended to include the following:

a brace member connected to the arm intermediate of the length thereof at one end of the brace member and comprising at an opposite end of the brace member a connection for connecting the brace member to the vehicle
said connection at one end of the arm for mounting the arm to a vehicle and said connection for connecting the brace member to the vehicle comprising pivot connections which enable the arm mounted to the vehicle and the brace member connected to the vehicle to both be pivoted together between said operating position, and a non-operating position in which non-operating position the arm and brace member do not extend outwardly of the vehicle.

The examiner stated that Derksen et al discloses:

- “▪ including a brace member (30)
- adapted to be connected to the arm (3, 4, 12, 13) intermediate of the length thereof at one end of the brace member (30 at 67) and
- connectable to the vehicle (2) at another end of the brace member (30 at 66).

- including a pivot connection (66) at said another end of the brace member (30) for pivotally connecting the brace member (30) to a vehicle (2) (C4 L36-39).”

Claim 1 as amended requires that the brace member is “connected to the arm intermediate of the length thereof at one end of the brace member”. The examiner considers the arm of Derksen to be elements 3, 4, 12, and 13. The element 30 is not connected to 3, 4, 12, and 13 intermediate of the length thereof, but (if at all) only at one end of 3, 4, 12, and 13.

Claim 1 as amended requires that the brace member comprises “at an opposite end of the brace member a connection for connecting the brace member to the vehicle” and that the connection for connecting the brace member to the vehicle comprises a pivot connection which (with the pivot connection at said one end of the arm to the vehicle) enable the attachment comprising the arm and the brace member connected to the arm to be pivoted together to a non-operating position relative to the vehicle. Derksen et al discloses no such pivot connection at the opposite end of 30 to that end connected to the arm 3, 4, 12, 13.

Further, it is clear that element 30 of Derksen et al which the examiner considers to be the brace member is immovable, whereas amended claim 1 requires that the brace member together with the arm comprise the pivot connections to the vehicle “which enable the attachment comprising the arm and the brace member connected to the arm to be pivoted together to a non-operating position relative to the vehicle.”

For at least these reasons Derksen et al does not anticipate Applicant’s claims as amended. Accordingly, Claims 1, 3, 4, 11, 14, and 15 are allowable over Derksen et al.

Application of Mathew King
Application No. 10/590,338
Docket No. 0074-546795

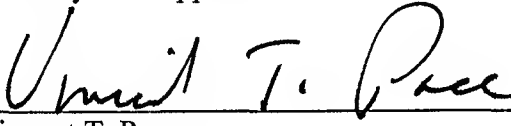
35 USC 103(a): Claims 5, 9, 10, 12, 16, and 20

The examiner rejected Claims 5, 9, 10, 12, 16, and 20 under 35 USC 103(a) as being unpatentable over Derksen et al. either alone or in combination with a secondary reference. Claims 5, 9, 10, 12, 16, and 20 depend from Claim 1 and thus, include all of the features set forth in Claim 1. Therefore, Claims 5, 9, 10, 12, 16, and 20 are allowable for at least the same reasons set forth above for Claim 1 and additionally for the reasons stated in the Applicant's response filed 18 December 2009 which are incorporated herein by reference.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicant believes that the pending claims are in condition for allowance. The Applicant respectfully requests reconsideration of the application in the light of the foregoing amendments and remarks.

Respectfully submitted,
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